

# **EXHIBIT H**

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**From:** Kevin Graham <KGraham@stikeman.com>  
**Sent:** Monday, January 23, 2023 11:56 AM  
**To:** Kevin Su  
**Cc:** Philip Chen; Jonathan Auerbach; Craig Story  
**Subject:** RE: EnergyLink's January 12, 2023 letter  
**Attachments:** EnergyLink Letter to Customers Re Braden Mistatements.pdf

[This email originated outside of F&R.]

**Without Prejudice**

Dear Mr. Su

I am writing further to our letter of January 12 and our exchange of emails on January 18.

Notwithstanding our request for a response to our above-noted letter by the end of the day **January 19**, we have yet to receive a substantive response from you or your client.

As mentioned in our above-noted correspondence, your client's unsubstantiated, false and misleading statements are causing irreparable damage to our client. While our client believes it is in the parties' best interest to try to resolve this matter amicably, your client has failed to address (or even expressed an intention to address) these matters in a timely fashion.

Our client cannot allow this irreparable harm to continue. As such, unless your client provides the information and undertakings requested in our above-noted letter (including but not limited to any evidence that your client may have in support of the allegations that it is the owner of any of the engineering drawings and/or other purported "intellectual property assets" previously owned by Innova and that EnergyLink has misused same) by no later than the end of the day **Thursday, January 26**, our client will have no choice but to conclude that your client is not interested in attempting to resolve this matter amicably and will be taking steps in an effort to mitigate the irreparable damage that your client's misstatements are causing in the marketplace, including sending the attached letter to customers who our client understands have received the unsubstantiated statements from Braden.

As previously referenced, notwithstanding anything set out above or in our previous correspondence, our client expressly reserves all legal rights and remedies available in respect of this matter, including but not limited to damages, an accounting of profits, as well as interlocutory and permanent injunctive relief and legal costs.

Best regards,  
Kevin Graham

**Kevin Graham**

Direct: +1 613 564 3471  
Email: kgraham@stikeman.com

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**From:** Kevin Graham  
**Sent:** Wednesday, January 18, 2023 12:19 PM  
**To:** Kevin Su <Su@fr.com>  
**Cc:** Philip Chen <pchen@fr.com>; Jonathan Auerbach <JAuerbach@stikeman.com>; Craig Story <CStory@stikeman.com>  
**Subject:** RE: EnergyLink's January 12, 2023 letter

**Without Prejudice**

Dear Mr. Su

Receipt of your email below is acknowledged.

While we agree that it is in the best interest of the parties to try to resolve this matter amicably, we disagree that our request for a response by the end of the day tomorrow is unreasonable given the circumstances. As referenced in our letter of January 12, 2023, your client's false and misleading statements are causing immediate and irreparable damage to our client and its business, for which your client will be held accountable.

We also note that your email below also does not even suggest when we can expect to receive a substantive response from your client. As such, our client has no assurance that your client is addressing this matter in a timely manner or is even interested in trying to resolve the dispute.

As such, we encourage your client to provide a response as soon as possible. In the interim, our client reserves any and all legal rights and remedies available to it, including initiating legal proceedings when it deems appropriate.

Best regards,  
Kevin

**Kevin Graham**

Direct: +1 613 564 3471  
Email: [kgraham@stikeman.com](mailto:kgraham@stikeman.com)

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**From:** Kevin Su <[Su@fr.com](mailto:Su@fr.com)>  
**Sent:** Wednesday, January 18, 2023 9:44 AM  
**To:** Kevin Graham <[KGraham@stikeman.com](mailto:KGraham@stikeman.com)>; Jonathan Auerbach <[JAuerbach@stikeman.com](mailto:JAuerbach@stikeman.com)>; Craig Story <[CStory@stikeman.com](mailto:CStory@stikeman.com)>  
**Cc:** Philip Chen <[pchen@fr.com](mailto:pchen@fr.com)>  
**Subject:** Re: EnergyLink's January 12, 2023 letter

Dear Kevin,

We are in receipt of your letter of January 12, 2023 (sent by email to my attention). Braden is considering the statements and demands made therein, and we will respond in due course. EnergyLink's unilateral deadline of one week (to January 19, 2023) for Braden to respond to your letter, along with EnergyLink's threats of immediate legal action if we do not meet your demands by your deadline, are unreasonable and not conducive to resolving the dispute between the parties, given the substantial rights at issue.

Best regards,  
Kevin

**Kevin K. Su :: Principal :: Fish & Richardson P.C.**  
One Marina Park Drive, Boston, MA 02210-1878  
617 521 7827 direct :: 617 542 5070 main :: 617 542 8906 fax

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